

FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH

OCT 30 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

RECEIVED CLERK

OCT 30 2023

U.S. DISTRICT COURT

BY

GARY P. SERDAR

CLERK OF COURT

DEPUTY CLERK

SERGIO SOSA.

Petitioner

v.

Case No. 2:20-cr-00073-DS-1

UNITED STATES OF AMERICA,
Respondent

MOTION FOR REDUCTION IN SENTENCE PURSUANT TO
18 U.S.C. § 3582(c)(2) AND AMENDMENT 821
TO THE SENTENCING GUIDELINES

Petitioner Sergio Sosa, an incarcerated, pro se litigant, respectfully motions this Court for a reduction in his sentence pursuant to 18 U.S.C. § 3582(c)(2) and the "Zero Point Offenders" Provision of Amendment 821 to the United States Sentencing Guidelines.

BACKGROUND

Previously, this Court accepted my plea of guilty to violating 26 U.S.C. § 7201, Tax Evasion and 26 U.S.C. § 7212(a), Obstruction of Internal Revenue Laws. Pursuant to my Presentencing Report, this Court found that I had no prior criminal history and that my offense placed me in Offense Level 21 of the Sentencing guidelines. My offense level did not include any enhancements for the use or threats of violence, firearms, serious bodily injury or cause substantial financial hardship as defined in the Sentencing Guidelines.

With zero Criminal History Points and an Offense Level of 21, my Guideline Range was 37 - 46 months. This Court selected the low end of this Guideline and sentenced me to 37 months of imprisonment.

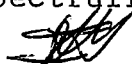
REQUEST FOR RELIEF

Amendment 821 to the Sentencing Guidelines added a new Guideline at § 4C1.1, Adjustment for Certain Zero-Point Offenders. This new Guidelines, which has been made retroactive, provides for a decrease of two levels from the offense level previously determined for offenders such as myself who have no criminal history and whose offense did not involve specific aggravating factors.

As I meet these criteria, I respectfully request that this Court reduce my offense level from 21 to 19 and resentence me to the low end of this new Guideline range which is 30 - 37 months of imprisonment.

In further support of this request, since my self-surrender on April 7th of this year, I have remained incident free and have volunteered to serve as an interpreter for Spanish speaking inmates when they meet with their Unit Team or the Institution's Medical Staff. In addition, I serve as the Institution's Spanish Language GED Instructor and two of my students have already passed all parts of their GED tests. I have completed classes in Preparing for Success After Prison and Living a Healthy Life with a Chronic Condition. I am also currently enrolled in Seven Habits, the Camp's Threshold Program and Money Smart for Adults and Older Adults.

Respectfully submitted,



Sergio Sosa, pro se
Reg. No. 40882-510
Federal Prison Camp
P.O. Box 5000
Florence, CO 81226

CERTIFICATE OF SERVICE

I, Sergio Sosa, swear that on October 26, 2023, I served this Motion for Reduction in Sentence on the Clerk of the United States District Court for the District of Utah at the address shown below. This service was made by delivering an envelope containing the Motion to an authorized representative of the Federal Bureau of Prisons for inclusion in the Institution's Legal mail System. Pre-paid, first-class postage was attached to the envelope.

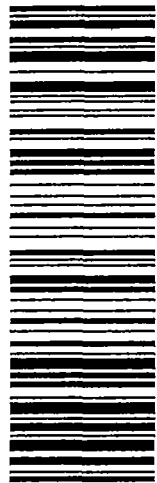
Office of the Clerk of Court
United States District Court
for the District of Utah
351 S. West Temple
Salt Lake City, UT 84101

Dated: October 26, 2023

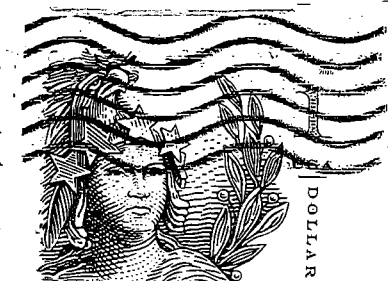


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